

**REMARKS**

Claims 1-26 are pending in the present application. With entry of this Amendment, Applicants amend claims 1, 6, 14, 17, 21 and 23-26 and cancel claims 13 and 16 without prejudice. Reexamination and reconsideration are respectfully requested.

The Examiner rejected claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by Katz et al. (US 5926624). The rejection is respectfully traversed.

The present invention, as set forth in claim 1, is directed to a program creation/supply apparatus. The apparatus communicates with a client apparatus via a communication network. The apparatus has a processor section that prompts the client apparatus to select one or more items of content. The apparatus also prompts the client apparatus to input additional information in correspondence with the selected item(s) of content. The additional information comprises a user's comment. The apparatus creates a program file defined by the selected item(s) and including the additional information.

Applicants have amended claim 1 to recite that "said additional information comprising a user's comment." Support for this amendment is found throughout the specification including, for example, at page 42, line 24 to page 43, line 43.

In contrast, Katz fails to disclose prompting the client apparatus to input additional information comprising a user's comment. Katz is directed to a system where multimedia data is communicated between a server and a client in a secured manner. The client has a browser that allows a user to browse, preview, select, purchase and take delivery of information from the server (see, e.g., Col. 8, line 63 to Col. 9, line 6; Col. 11, lines 1-8 and Fig. 2). There is no disclosure or suggestion that the client is prompted to input additional information comprising a user's comment. The Examiner cites Fig. 2, Col. 8, lines 5-62 and Col. 16, lines 34-63 as disclosing additional information. However, none of these citations discloses prompting the client apparatus to input additional information comprising a user's comment. Accordingly, Applicants respectfully submit that claim 1 is not anticipated by Katz.

Applicants respectfully submit that claims 2-12 which depend from claim 1 are not anticipated by Katz for at least the reasons set forth above. Applicants note that they have amended claim 6 to address an informality.

Applicants have canceled independent claim 13 and dependent claim 16 without prejudice and amended claims 14 and 15 to ultimately depend from claim 1. Accordingly, Applicants respectfully submit that claims 14 and 15 are not anticipated by Katz for at least the reasons set forth above.

Applicants have similarly amended independent claims 17, 21, 23, 25, and 26 and respectfully submit that these claims and their respective dependent claims are not anticipated by Katz for at least the reasons set forth above with respect to claim 1. Applicants have amended independent claim 24 to depend from claim 23 and respectfully submit that this claim is not anticipated by Katz for at least the reasons set forth above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032028900.

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Respectfully submitted,

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